

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BENITO CARDENAS-HERNANDEZ

PLAINTIFF

v.

No. 06-2151

OFFICER MCHENRY; SGT.
RITTER; SGT. MOORE;
OFFICER PRUITT; SHERIFF
FRANK ATKINSON and NURSE
CRYSTAL REED

DEFENDANTS

ORDER

Now on this 6th day of March 2008, there comes on for consideration the report and recommendation filed herein on February 7, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 30). The parties have not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendants' motion for summary judgment (Doc. 25) is DENIED.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge